



REGISTRAR OF REGULATIONS

06 FEB 27 PM 3: 08

## COMMONWEALTH of VIRGINIA

Department of Health  
DIVISION OF SHELLFISH SANITATION  
109 Governor Street, Room 614-B  
Richmond, VA 23219

Ph: 804-864-7487  
Fax: 804-864-7481

### NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 053-221, POQUOSON RIVER – CHISMAN CREEK

EFFECTIVE 10 MARCH 2006

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §9-6.14:4.1, B.16 of the *Code of Virginia*:

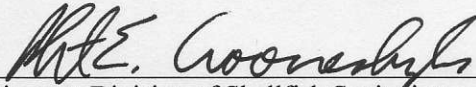
1. The "Notice and Description of Shellfish Area Condemnation Number 053-137, Poquoson River," effective 1 March 2005, is cancelled effective 10 March 2006.
2. Condemned Shellfish Area Number 053-221, shown as Sections A through C is hereby established, effective 10 March 2006. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in § 28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Poquoson River – Chisman Creek, Condemned Shellfish Number 053-221, 10 March 2006" which is part of this notice.
3. Seasonally Condemned Shellfish Number 053-221, shown as Section M1, is hereby established, effective 1 April 2006, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It is unlawful for any person, firm or corporation to take shellfish from this area during such period for any purpose, except by permit granted by the Marine Resources Commission, as provided in §28.2-810 of the *Code of Virginia*. The boundary of this area is shown on the map titled "Poquoson River – Chisman Creek, Condemned Shellfish Number 053-221, 10 March 2006" which is part of this notice.
4. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

#### BOUNDARIES OF CONDEMNED AREA NUMBER 053-221


- A. The condemned area shall include that portion of Cabin Creek and its tributaries lying upstream of a line drawn from latitude / longitude map coordinate (37°10'51.5", -76°23'53.4") to map coordinate (37°10'52.0", -76°23'59.4").
- B. The condemned area shall include that portion of Chisman Creek and its tributaries lying upstream of a line drawn from latitude / longitude map coordinate (37°11'06.2", -76°24'48.2") to map coordinate (37°11'00.3", -76°24'49.3"), to map coordinate (37°10'50.5", -76°24'51.1").

- C. The condemned area shall include all of Boathouse Creek and its tributaries lying upstream of a line drawn from latitude / longitude map coordinate (37°10'42.1", -76°24'51.7") to map coordinate (37°10'36.5", -76°24'46.7").
- M1. The condemned area shall include that portion of Chisman Creek and its tributaries lying inland and upstream of a line drawn from latitude / longitude map coordinate (37°10'40.7", -76°24'10.3"), to map coordinate (37°10'47.8", -76°24'28.9"), to map coordinate (37°11'00.3", -76°24'49.3"), and ending at map coordinate (37°11'06.2", -76°24'48.2").

Recommended by:

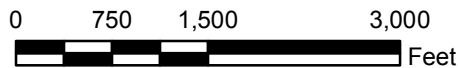
  
\_\_\_\_\_  
Director, Division of Shellfish Sanitation

Ordered by:

  
\_\_\_\_\_  
State Health Commissioner

  
\_\_\_\_\_  
Date

**Virginia Department of Health  
Poquoson River - Chisman Creek  
Condemned Shellfish Area 053-221  
10 March 2006**



Condemned Shellfish Areas  
(Sections A - C)



Seasonally Condemned Shellfish Area  
(Section M1)



York County

Goose Creek  
10-44-04

**Section  
B**

Chisman Creek  
10-44-00

(37°11'06.2", -76°24'48.2")

(37°11'00.3", -76°24'49.3")

(37°10'50.5", -76°24'51.1")

(37°10'42.1", -76°24'51.7")

**Section  
C**

Boathouse Creek  
10-44-01

(37°10'36.5", -76°24'46.7")

Hodges Cove  
10-46-02

Claxton Creek  
06-01-01

Cabin Creek  
10-44-02

**Section  
M1**

(37°10'47.8", -76°24'28.9")

(37°10'40.7", -76°24'10.3")

**Section  
A**

(37°10'52.0", -76°23'59.4")

(37°10'51.5", -76°23'53.4")

Bay Tree  
Creek  
10-42-00

Poquoson River  
10-46-00